Page 1 of 2

EXECUTIVE SUMMARY - ENFORCEMENT MATTER DOCKET NO.: 2009-0039-PWS-E TCEQ ID: RN101439867 CASE NO.: 36994 RESPONDENT NAME: RAYMOND WINDHAM DBA DEER RUN WATER SYSTEM

ORDER TYPE:		
X 1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
AMENDED ORDER	EMERGENCY ORDER	
CASE TYPE:		
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL HAZARDOUS WASTE
X PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
TYPE OF OPERATION: Public Water Support Small Business: X Yes No OTHER SIGNIFICANT MATTERS: There facility location. INTERESTED PARTIES: No one other the COMMENTS RECEIVED: The Texas Regular Contacts and Mailing List: TCEQ Attorney: Mr. Steven M. F. Ms. Lena Robert TCEQ Enforcement Coordinator: TCEQ Regional Contact: Mr. Clit Respondent: Mr. Raymond Windh	No ·	ional pending enforcement actions regarding this terest in this matter. 2009. No comments were received. 39-0635 19 rement Section, MC 169, (512) 239-1482 325) 698-6115

RESPONDENT NAME: RAYMOND WINDHAM DBA DEER RUN WATER SYSTEM Page 2 of 2 **DOCKET NO.: 2009-0039-PWS-E VIOLATION SUMMARY CHART:** CORRECTIVE ACTIONS PENALTY CONSIDERATIONS VIOLATION INFORMATION TAKEN/REQUIRED Type of Investigation: Ordering Provisions: Total Assessed: \$2,030 Complaint Total Deferred: \$0 The Respondent shall undertake the following technical requirements: Routine Expedited Order Enforcement Follow-up Financial Inability to Pay X Records Review SEP Conditional Offset 1. Immediately, begin monitoring the disinfection residuals at representative locations in the distribution system at Date of Complaint Relating to this Case: Total Paid/Due to General Revenue: \$130/\$1,900 least once every seven days. 2. Within 30 days: Date of Investigation Relating to this Case: The Respondent paid \$130 of the administrative penalty. The remaining a. Develop and begin maintaining November 25, 2008 records of water works operations amount of \$1,900 shall be payable in 19 and maintenance activities at the Date of NOE Relating to this Case: monthly payments of \$100 each. December 19, 2008 Facility: and Site Compliance History Classification b. Adopt an adequate plumbing Background Facts: ordinance, regulations, or service The EDPRP was filed May 19, 2009. Settlement was agreement with provisions for proper achieved and a signed Agreed Order was received on July 3, Person Compliance History enforcement to insure that neither 2009. Classification cross-connections other nor unacceptable plumbing practices are **Current Compliance Status:** permitted. Major Source: Yes X No The Respondent has not yet submitted documentation to certify compliance with the technical requirements. 3. Within 60 days: Applicable Penalty Policy: a. Submit written certification September 2002 demonstrating compliance with PWS: Ordering Provision Nos. 2.a and 1. Failed to provide a purchase water contract in order to properly evaluate the facility's production, storage, service pump or pressure maintenance capacity [30 Tex. ADMIN. b. Develop and begin maintaining an CODE § 290.45(f)(1) and 290.45(f)(5)]. up-to-date and thorough plant operation manual for operator review and reference; and 2. Failed to develop and maintain records of water works operation and maintenance activities for operator reference c. Develop and begin maintaining an and commission review during investigations [30 Tex. up-to-date chemical and ADMIN. CODE § 290.46(f)]. microbiological monitoring plan. 3. Failed to develop and maintain a complete and up-to-date 4. Within 90 days, submit written operations manual for operator review and reference [30 certification demonstrating compliance TEX. ADMIN. CODE § 290.42(1)]. with Ordering Provision Nos. 3.a through 3.c. 4. Failed to develop and maintain an up-to-date chemical and 5. Within 180 days, provide a purchase microbiological monitoring plan [30 Tex. ADMIN. CODE water contract that authorizes a 290.121(a)]. maximum hourly purchase rate to meet a service pump capacity. 5. Failed to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for 6. Within 195 days, submit written

certification demonstrating compliance

with Ordering Provision No. 5.

proper enforcement to insure that neither cross-connections

nor other unacceptable plumbing practices are permitted

6. Failed to monitor the disinfection residuals at representative locations in the distribution system at least once every seven days [30 Tex. ADMIN. CODE

[30 Tex. ADMIN. CODE § 290.46(i)].

§ 290.110(c)(4)(A)].

Policy Revision 2 (Sep	Penalty Calculatio	n Worksheet	,	n October 30, 2008
TCFQ	nember 2002)		1 OW Acevision	1 00100001 00, 2000
DATES Assigned PCW		EPA Due		438484
RESPONDENT/FACILITY				
	Raymond Windham dba Deer Run Water S	ystem		-
Reg. Ent. Ref. No. Facility/Site Region		Major/Minor Sou	ırce Minor	
CASE INFORMATION Enf./Case ID No.	36994	No. of Violati	ons 6	
	2009-0039-PWS-E		ype 1660	
	Public Water Supply	Government/Non-Pi		
. Multi-Media			Andrea Linson-Mgbe	
Admin. Penalty \$	Limit Minimum \$50 Maximum	\$1,000	eam Enforcement Team 2	
	Penalty Calcula	ation Section		,
TOTAL BASE PENAI	LTY (Sum of violation base penaltic	es)	Subtotal 1	\$1,400
ADDICTMENTO (1/1)	TO SUPTOTAL 4			Consessor Victoria
ADJUSTMENTS (+/-)	ined by multiplying the Total Base Penalty (Subtotal 1) by	the indicated percentage.		Sing Personal Control of Control
Compliance Hist	ory 14.0%	Enhancement S	ubtotals 2, 3, & 7	\$196
	Enhancement due to two prior Notices of V			
Notes	I control to the control of the cont		vo	
	dissimilar NOVs	<u> </u>	<u></u>	
Culpability	No 0.0%	Enhancement	Subtotal 4	\$0
Notes	The Respondent does not meet the	e culpability criteria.		
	en e			¢0
Good Faith Effor	t to Comply Total Adjustments		Subtotal 5	\$0
		Constitution of the Consti	·	
Economic Benef	Addition to a contract the contract that the contract that the contract that the contract the contract that the contract	Enhancement* I at the Total EB \$ Amount	Subtotal 6	\$0
Approx.	Total EB Amounts \$555 *Capped Cost of Compliance \$2,000	at the Total ED \$ Amount		
ne se accelo el celo de la materiale anticon	eriesen in 1922-en 1921 in 1921 hann de skriver in de skriver begrenne komment er en de skriver i 1920 hann de Desember 1922-en 1921 in 1921 in 1921 in 1921 in 1921 in 1921 in 1922 in 1922 in 1921 in 1921 in 1921 in 1921	e Notarente la guita de l'encoloriste de l'estimateurs.		
SUM OF SUBTOTAL	S.1-7		Final Subtotal	\$1,596
OTHER EACTORS A	S JUSTICE MAY REQUIRE	27.2%	Adjustment	\$434
	Subtotal by the indicated percentage.			Ψ+0+
Notes	Enhancement recommended for the re-	covery of avoided costs.	•	
		Final	Penalty Amount	\$2,030
	•	, ma	· charty /mount	42,000
STATUTORY LIMIT A	ADJUSTMENT	Final A	ssessed Penalty	\$2,030
	en en grant man et al. (1900 en		Mark say to the land to the transport	
DEFERRAL		0.0% Reductio	n Adjustment	\$0
Reduces the Final Assessed Per	nalty by the indicted percentage. (Enter number only; e.g	J. 20 for 20% reduction.)		
Notes	Deferral not offered for non-expe	edited settlement.		финанси
1,000				Parketter and a second a second and a second a second and
			The state of the s	
PAYABLE PENALTY	보고를 보고 있는 것이다. 그는 얼마를 즐겁게 보았다			\$2,030

Screening Date 6-Jan-2009

Docket No. 2009-0039-PWS-E

PCW

Policy Revision 2 (September 2002) PCW Revision October 30, 2008

Respondent Raymond Windham dba Deer Run Water System

Case ID No. 36994

Reg. Ent. Reference No. RN101439867

Media [Statute] Public Water Supply

		Site Enhancement (Subtotal 2) Number of E	nter Number Here	Adjust.	540790 -
NO		Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	2	10%	
	ŀ	Other written NOVs	2	4%	
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%	
Or		Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%	
	ments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%	
	1662	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%	
Conv	ictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%	
Emis	ssions	Chronic excessive emissions events (number of events)	0	0%	
Au	ıdits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%	
		Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%	
		Pleas	se Enter Yes or No		
₹		Environmental management systems in place for one year or more	No	0%	
	ther	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
		Participation in a voluntary pollution reduction program	No	0%	
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	! !
	'	Adjustment Pe	ercentage (Su	ıbtotal 2) [14
epeat Viola	tor (Sul	btotal 3)			
	N/A	Adjustment Pe	ercentage (Su	ıbtotal 3)	09
ompliance	History	Person Classification (Subtotal 7)	men er er yezhoù eust egañ en Egypte (196		
	N/A	Adjustment Pe	ercentage (Sı	ıbtotal 7) [09
ompliance	History	Summary		41/51/20	
His	oliance story otes	Enhancement due to two prior Notices of Violation (NOV) with same or similar violations as current enforcement action and two dissimilar NOVs.	those in the		

Scre	eening Date	6-Jan-2009	Docket No. 2009-0039-PWS-E		⊘PCW
F	Respondent	Raymond Wind	dham dba Deer Run Water System	Policy R	evision 2 (September 2002)
	Case ID No.			PCW	Revision October 30, 2008
Reg. Ent. Re					
	dia [Statute]				
A STATE OF THE STA	Coordinator	Andrea Linson-	-Mgbeoduru		
Vio	lation Number	1			
	Rule Cite(s)	2	30 Tex. Admin. Code § 290.45(f)(1) and 290.45(f)(5)		
Violatio	on Description	production, sto time of the rec water contract the production	ovide a purchase water contract in order to properly evaluate the orage, service pump or pressure maintenance capacity. Specification of the provider of the second review, it was documented that the Facility does not have the with its provider. Since the Facility purchases water under direct on and service pump capacity could not be evaluated without herefore, the Facility is considered 100% deficient for capacity.	fically, at the a a purchase ect pressure, a contract;	
			• •	Base Penalty	\$1,000
>> Environmental,	Property an	d Human He	ealth Matrix		
		Equipment of which again the rest	Harm	SEI .	
	Release	Major	Moderate Minor		-
OR	Actual			o7]	
	Potential	x	Percent 25	<u>76</u>]	
>>Programmatic N	latriy				
	Falsification	Major	Moderate Minor		
		,.		%	
	By failing to ha	ve a purchase v	water contract, the Facility cannot ensure that customers are p	rovided with	
Matrix Notes	an adequa		ter. As a result, customers could be exposed to a significant a inants that exceed levels protective of human health.	nount of	
		vartederogsky fittiakova		6750	
			Adjustment	\$750	
,					\$250
				of exercise and	
Violation Events					
	Number of Vi	olation Events	2 Number of violation	days	
	mark only one with an x	daily weekly monthly quarterly semiannual annual single event	X Violation E	Base Penalty	\$500
	Two monthly	events are reco	ommended, calculated from the date of the record review, Nov	ember 25.	
			2008, to the screening date, January 6, 2009.	,	and the second s
		THE STATE OF THE S			\$0
Good Faith Efforts	to Comply	rykin Pitak	0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer		\$0
	4	Extraordinary	BEINE MOV MOVIE EST M. COMMUNICATION		-
		Ordinary			
		N/A	X (mark with x)		
		ľ		7	
		Notes	The Respondent does not meet the good faith criteria for this violation.		
, ,			Violat	ion Subtotal	\$500
Economic Benefit	(EB) for this	violation	Statutory Limit	Γest 🔠 🏋	
	Estimate	d EB Amount	\$40 Violation Final F	enalty Total	\$725
			When the Property of the Prope	كى دەرەرىيى دارىم	
	migra in removale company of the factor of the		This violation Final Assessed Penalty (adjust	ed for limits)	\$725

		conomic E	3enefit W	orks	sheet		
Responden	t Raymond Wind	lham dba Deer Run	Water System				
Case ID No	. 36994						
Reg. Ent. Reference No	. RN101439867						
그 이 경우 독일 사람들이 되었다. 그렇게 되었는 것이 하고 있는 것이다.	a Public Water S	vlaau					Years of
Violation No		~66.0				Percent Interest	Depreciation
						5.0	15
			2.71.3			L	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Descriptio	n No commas or \$						
						-	
Delayed Cost							
Equipment				0.00	\$0	\$0	\$0
Buildings			4	0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	www.ryn/a	\$0
Record Keeping System				0.00	\$0	is with n/ass	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	www.n/a/datastr	\$0 \$0
Permit Costs		11 12		H 0.00	\$0	n/a sile	au.
Other (as needed)	\$500	1-Apr-2008	31-Oct-2009	1.58	\$40	n/a	\$40
Other (as needed) Notes for DELAYED costs	The delayed	cost includes that a	amount necessary	1.58 to obtaingation in	\$40 in a written water p itially documenting		\$40 om the City of
Notes for DELAYED costs	The delayed Bangs. The d	cost includes that a ate required is the o	amount necessary date of the investi estimated	1.58 to obtaingation in date of	\$40 in a written water pitially documenting compliance.	purchase contract frog the violation. The f	\$40 om the City of inal date is the
Notes for DELAYED costs Avoided Cost	The delayed Bangs. The d	cost includes that a ate required is the o	amount necessary date of the investi estimated	1.58 / to obtain the date of the other than th	\$40 in a written water pitially documenting compliance. item (except for	purchase contract frog the violation. The footbase one-time avoided cone-time avoide	\$40 om the City of inal date is the osts)
Notes for DELAYED costs Avoided Cost: Disposal	The delayed Bangs. The d	cost includes that a ate required is the o	amount necessary date of the investi estimated	1.58 / to obtain the date of the other the oth	\$40 in a written water pitially documenting compliance. item (except for \$0	purchase contract frog the violation. The fi	\$40 om the City of inal date is the osts)
Notes for DELAYED costs Avoided Cost: Disposal Personnel	The delayed Bangs. The d	cost includes that a ate required is the o	amount necessary date of the investi estimated	to obtain date of 0.00 0.00	\$40 in a written water pitially documenting compliance. item (except for \$0 \$0	purchase contract from the violation. The five contract from the violation. The five cone-time avoided contract from the violation with the violation of the vi	\$40 om the City of inal date is the osts)
Notes for DELAYED costs Avoided Cost: Disposal Personnel Inspection/Reporting/Sampling	The delayed Bangs. The d	cost includes that a ate required is the o	amount necessary date of the investi estimated	1.58 / to obtain the date of the other the oth	\$40 in a written water pitially documenting compliance. item (except for \$0	purchase contract frog the violation. The fi	\$40 om the City of inal date is the sosts) \$0 \$0
Notes for DELAYED costs Avoided Cost: Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	The delayed Bangs. The d	cost includes that a ate required is the o	amount necessary date of the investi estimated	to obtain date of ontering one of one	in a written water pritially documenting compliance. item (except for \$0 \$0 \$0 \$0 \$0	purchase contract frog the violation. The foone-time avoided company of the second compa	\$40 om the City of final date is the costs) \$0 \$0 \$0
Notes for DELAYED costs Avoided Cost: Disposal Personnel Inspection/Reporting/Sampling	The delayed Bangs. The d	cost includes that a ate required is the o	amount necessary date of the investi estimated	to obtain date of ontering one of one	\$40 in a written water pritially documenting compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	purchase contract from the violation. The first some time avoided contract from the violation. The first some time avoided contract from the violation of the violation. The first some violation of the violation	\$40 om the City of inal date is the sosts) \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Cost: Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The delayed Bangs. The d	cost includes that a ate required is the o	amount necessary date of the investi estimated	1.58 / to obtain a date of ontering 0.00	\$40 in a written water pritially documenting compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	purchase contract from the violation. The five solution is the violation. The five solution is the violation is the violation. The five solution is the violation is the violation. The five violation is the violation is the violation. The five violation is the violation is the violation is the violation. The five violation is the violation is th	\$40 om the City of inal date is the osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
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Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The delayed Bangs. The d	cost includes that a ate required is the o	amount necessary date of the investi estimated	1.58 / to obtain date of ontering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$40 in a written water programmer itially documenting compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	purchase contract from the violation. The first solution is contract from the violation. The first solution is contract from the violation. The first solution is contract from the violation is contract from the violation. The first solution is contract from the violation is contract from the violation is contract from the violation. The first solution is contract from the violation is contract from the	\$40 om the City of inal date is the solution of the city of inal date is the solution of the city of t
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Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The delayed Bangs. The d	cost includes that a ate required is the o	amount necessary date of the investi estimated	1.58 / to obtain date of ontering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$40 in a written water programmer itially documenting compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	purchase contract from the violation. The first solution is contract from the violation. The first solution is contract from the violation. The first solution is contract from the violation is contract from the violation. The first solution is contract from the violation is contract from the violation is contract from the violation. The first solution is contract from the violation is contract from the	\$40 om the City of inal date is the solution of the city of inal date is the solution of the city of t
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The delayed Bangs. The d	cost includes that a ate required is the o	amount necessary date of the investi estimated	1.58 / to obtain date of ontering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$40 in a written water programmer itially documenting compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	purchase contract from the violation. The first solution is contract from the violation. The first solution is contract from the violation. The first solution is contract from the violation is contract from the violation. The first solution is contract from the violation is contract from the violation is contract from the violation. The first solution is contract from the violation is contract from the	\$40 om the City of inal date is the solution of the city of inal date is the solution of the city of t
Avoided Cost Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The delayed Bangs. The d	cost includes that a ate required is the o	amount necessary date of the investi estimated	1.58 / to obtain date of ontering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$40 in a written water programmer itially documenting compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	purchase contract from the violation. The first solution is contract from the violation. The first solution is contract from the violation. The first solution is contract from the violation is contract from the violation. The first solution is contract from the violation is contract from the violation is contract from the violation. The first solution is contract from the violation is contract from the	\$40 om the City of inal date is the solution of the city of inal date is the solution of the city of t

Screening Date 6-		PCW
	,	olicy Revision 2 (September 2002)
Case ID No. 36 Reg. Ent. Reference No. RN		PCW Revision October 30, 2008
Media [Statute] Pu		
Enf. Coordinator An		
Violation Number	2	· · · · · ·
Rule Cite(s)	30 Tex. Admin. Code § 290.46(f)	
•		
Violation Description	Failed to develop and maintain records of water works operation and maintenance activities for operator reference and Commission review during investigations.	,
. <u>L</u>		سسيسي
	Base Per	nalty \$1,000
>> Environmental, Property and I	Juman Health Matrix	
> Environmental Floperty and	Harm	·
Release Actual	Major Moderate Minor	. 1
Potential	Percent 0%	
>>Programmatic Matrix Falsification	Major Moderate Minor	
Fasincation	x Percent 10%	
		···
Matrix	100% of the rule requirement was not met.	
Notes	100% of the rule requirement was not thet.	
	Adjustment 9	<u> </u>
		\$100
Violation Events		
Violation Events		
Number of Violat	ion Events 1 42 Number of violation days	
	daily	
	weekly	
mark only one 🛚 🚈	monthly: Violation Base Pen	nalty \$100
WILL OIL X	quarterly: Violation Base Pen	larty
[2] [2] [2] [2]	annual/	
,	ngle event x	
		
	One single event is recommended.	
<u> </u>		
Good Faith Efforts to Comply	0.0% Reduction	\$0
Fxi	Before NOV NOV to EDPRP/Settlement Offer raordinary	
	Ordinary	
	N/A x (mark with x)	
	The Respondent does not meet the good faith criteria for this	
	Notes violation.	
	Violation Subt	total \$100
Economic Benefit (EB) for this vi	olation Statutory Limit Test	
a diametrically and of Artificial and and and anti-published company of the control of the state of the control	arminis desente a material solicità del Cardo de a di appet desentante. Certa de 1915 de ministra de mandre de la mandre del production de desentante de la mandre del la mandre della mand	otal \$145
Estimated E		
	This violation Final Assessed Penalty (adjusted for lim	nits) \$145

		lham dba Deer Rur	TValer Cyblom				
Case ID No.	;						
Reg. Ent. Reference No.							
Media Violation No.	Public Water S 2	upply				Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							narustoserkar varus SANA VAINEER ERES
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$400	1-Apr-2008	31-Aug-2009	1.42	\$28	n/a	\$28
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal							
				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	in/a	\$0
Permit Costs Other (as needed)				0.00 0.00 nd begin	\$0 \$0 maintaining a reco	in/a n/a ord keeping system	\$0 \$0 for all operating
Permit Costs	and maint	enance activities at documenting the	the water system violation. The fin	0.00 0.00 nd begin The da al date i ntering 0.00 0.00	\$0 \$0 maintaining a receive required is the cstimated da item (except for c \$0 \$0	ord keeping system date of the investigate of compliance.	\$0 \$0 for all operating tion initially osts) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs AVOIded Costs Disposal Personnel Inspection/Reporting/Sampling	and maint	enance activities at documenting the	the water system violation. The fin	0.00 0.00 d begin The da al date i ntering 0.00 0.00	\$0 \$0 maintaining a receive required is the cites the estimated date where the control of the cites are the cites of the c	n/a	\$0 \$0 for all operating tion initially.
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	and maint	enance activities at documenting the	the water system violation. The fin	0.00 0.00 nd begin The da al date i ntering 0.00 0.00 0.00	\$0 \$0 maintaining a receive required is the construction of the co	n/a	\$0 \$0 for all operating tion initially.
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	and maint	enance activities at documenting the	the water system violation. The fin	0.00 0.00 . The da al date i mtering 0.00 0.00 0.00 0.00	\$0 \$0 maintaining a receive required is the control of the control	n/a	\$0 \$0 for all operating tion initially.
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	and maint	enance activities at documenting the	the water system violation. The fin	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	\$0 \$0 maintaining a receive required is the office of the estimated date of the estimate	n/a	\$0 \$0 for all operating tion initially osts) \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	and maint	enance activities at documenting the	the water system violation. The fin	0.00 0.00 . The da al date i mtering 0.00 0.00 0.00 0.00	\$0 \$0 maintaining a receive required is the control of the control	n/a	\$0 \$0 for all operating tion initially.

	et No. 2009-0039-PWS-E
Respondent Raymond Windham dba Deer Run Water System	
Case ID No. 36994 Reg. Ent. Reference No. RN101439867	PCW Revision October 30, 2008
Media [Statute] Public Water Supply	
Enf. Coordinator Andrea Linson-Mgbeoduru	
Violation Number 3	
Rule Cite(s) 30 Tex. Admin. Cod	e § 290.42(I)
Violation Description Failed to develop and maintain a complete and u	
	Base Penalty \$1,000
>> Environmental, Property and Human Health Matrix Harm	
Release Major Moderate Minor	
OR Actual Potential	Percent 0%
	ON THE CONTRACTOR OF THE CONTR
>>Programmatic Matrix	
Falsification Major Moderate Minor	Percent 10%
Matrix 1009/ of the rule continuous turn	
Notes 100% of the rule requirement was	s not met.
	Adjustment \$900
	\$100
Violation Events	
Number of Violation Events 1	Number of violation days
dally. weekly	
mark only one monthly.	
with an x	Violation Base Penalty \$100
semiannual annual	
single event x	•
One single event is recomme	nded.
Good Faith Efforts to Comply 0.0% Reduction	\$0
Before NOV NOV to EDPRP/Settleme	nt Offer
Extraordinary	
Ordinary (mark with x)	
Notes The Respondent does not meet to violation	
·	Violation Subtotal \$100
Face and Deposits/ED/Grantia united a	Statutory Limit Test
Economic Benefit (EB) for this violation	Company of the Control of the Contro
Estimated EB Amount \$19	Violation Final Penalty Total \$145
This violation Final	Assessed Penalty (adjusted for limits) \$145

Case ID No	t Raymond Wind	ham dba Deer Rui	n Water System)	
Reg. Ent. Reference No	· ·						
	a Public Water S	upply				Percent Interest	Years of Depreciation
Violation No		en as housements.	and the second of the second o	. Santación	ngar at latig dié	5.0	15
되면 생물하는 그는 그 학	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
		Date Required	rillai Date		iliterest Saveu	Offennie Costs	ED AIIIOUIT
Item Descriptio	n No commas or \$					As for the first time	akris kili i
Delayed Cost		and the state of t	TERANIZA I			onaukan namus.	
Equipment	•			0.00	\$0	\$0 T	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land		i		0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Remediation/Disposal Permit Costs				0.00	\$0 \$0	n/a n/a	\$0 \$0
Permit Costs Other (as needed)				0.00 1.50 o develo	\$0 \$19 p and begin maint	n/a n/a aining a facility opera	\$0 \$19 ations manual.
Permit Costs Other (as needed) Notes for DELAYED costs	The delayed of The date require	costs include the ar	mount necessary to ne investigation inition date	0.00 1.50 o develo tially doc of comp	\$0 \$19 p and begin maint umenting the viola liance.	n/a	\$0 \$19 ations manual. s the estimated
Permit Costs Other (as needed) Notes for DELAYED costs . Avoided Cost:	The delayed of The date require	costs include the ar	mount necessary to ne investigation inition date	0.00 1.50 o develo tially doc of comp	\$0 \$19 p and begin maint umenting the viole liance. item (except for	n/a	\$0 \$19 ations manual. s the estimated
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Cost: Disposal	The delayed of The date require	costs include the ar	mount necessary to ne investigation inition date	0.00 1.50 o develo tially doc of comp ntering	\$0 \$19 p and begin maint umenting the viola liance. item (except for	n/a	\$0 \$19 etions manual. s the estimated
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Cost: Disposal Personnel	The delayed of The date require	costs include the ar	mount necessary to ne investigation inition date	0.00 1.50 o develo tially doc of comp entering 0.00 0.00	\$0 \$19 p and begin maint umenting the viola liance. item (except for a \$0 \$0	aining a facility operation. The final date in t	\$0 \$19 ations manual. s the estimated osts) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Cost: Disposal Personnel Inspection/Reporting/Sampling	The delayed of The date require	costs include the ar	mount necessary to ne investigation inition date	0.00 1.50 o develo tially doc of comp ntering	\$0 \$19 p and begin maint umenting the viola liance. item (except for	n/a	\$0 \$19 etions manual. s the estimated
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Cost: Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	The delayed of The date require	costs include the ar	mount necessary to ne investigation inition date	0.00 1.50 o develor tially docretering 0.00 0.00 0.00	\$0 \$19 p and begin maint umenting the violal liance. item (except for a \$0 \$0	n/a	\$0 \$19 ations manual. s the estimated oosts) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COST: Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The delayed of The date require	costs include the ar	mount necessary to ne investigation inition date	0.00 1.50 0 develo tially doc of comp ntering 0.00 0.00 0.00	\$0 \$19 p and begin maint umenting the viola iliance. item (except for a \$0 \$0 \$0 \$0	n/a	\$0 \$19 ations manual. s the estimated oosts) \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COST: Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	The delayed of The date require	costs include the ar	mount necessary to ne investigation inition date	0.00 1.50 0 develor tially doc of comp 1 0.00 0.00 0.00 0.00 0.00	\$0 \$19 p and begin maint umenting the viola liance. item (except for a \$0 \$0 \$0 \$0 \$0	n/a n/a n/a ning a facility operation. The final date in one-time avoided c s0 s0 s0 s0 s0 s0	\$0 \$19 ations manual. s the estimated osts) \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COST. Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delayed of The date require	costs include the ar	mount necessary to ne investigation inition date	0.00 1.50 0 develo tially doc of comp ntering 0.00 0.00 0.00 0.00	\$0 \$19 p and begin maint tumenting the violal liance. item (except for a \$0 \$0 \$0 \$0 \$0	n/a n/a n/a ning a facility operation. The final date in cone-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$19 ations manual. s the estimated osts) \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Cost: Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The delayed of The date require	costs include the ar	mount necessary to ne investigation inition date	0.00 1.50 0 develo tially doc of comp ntering 0.00 0.00 0.00 0.00	\$0 \$19 p and begin maint tumenting the violal liance. item (except for a \$0 \$0 \$0 \$0 \$0	n/a n/a n/a ning a facility operation. The final date in cone-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$19 ations manual. s the estimated osts) \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COST. Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delayed of The date require	costs include the ar	mount necessary to ne investigation inition date	0.00 1.50 0 develo tially doc of comp ntering 0.00 0.00 0.00 0.00	\$0 \$19 p and begin maint tumenting the violal liance. item (except for a \$0 \$0 \$0 \$0 \$0	n/a n/a n/a ning a facility operation. The final date in cone-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$19 ations manual. s the estimated osts) \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COST: Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The delayed of The date require	costs include the ar	mount necessary to ne investigation inition date	0.00 1.50 0 develo tially doc of comp ntering 0.00 0.00 0.00 0.00	\$0 \$19 p and begin maint tumenting the violal liance. item (except for a \$0 \$0 \$0 \$0 \$0	n/a n/a n/a ning a facility operation. The final date in cone-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$19 ations manual. s the estimated osts) \$0 \$0 \$0 \$0 \$0 \$0

Screening Date			Docket No. 2009	-0039-PWS-E		⊴PCW
	Raymond Windham dba De	er Run Water	System			2 (September 2002)
Case ID No.					PCW Revision	on October 30, 2008
Reg. Ent. Reference No.						
	Public Water Supply					*
	Andrea Linson-Mgbeoduru					
Violation Number Rule Cite(s)	/L				7	·
Rule Cite(s)		30 Tex. Admir	n. Code § 290.121(a)	•	
			7. July 21. 11. 12. 20. 11. 12. 12. 12. 12. 12. 12. 12. 12. 12			
Violation Description	Failed to develop and mail	ntain and up-to		microbiological mon	itoring	٧.
Tiolean Description			plan.	•		·
,				*	,	
		•		Base	Penalty	\$1,000
and the second s						-
>> Environmental, Property ar		X				
Release	Harm Major Moderate	Minor				
OR Actual		IVIIIIOI	1			
Potential			Perc	ent 0%		
		W41-37-W- T3-V- V-		······································		
>>Programmatic Matrix						
: Falsification	Major Moderate	Minor	1 -	. [
	X		Perc	ent 10%		
Matrix	100% of the	rulo rogulrom	ent was not met.	*1 17 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	11:	,
Notes	100 % 01 1110	riule requirem	ent was not met.			and the same of th
						decomposition
			Adjust	ment	\$900	auer
The control of the co	St. Sell Sell Sell Sell Sell Sell Sell Sel	and the first of the second	and the Second System College Committee College Second College			
		: .			<u> </u>	\$100
Violation Events						
		ESSENCE CONTRACTOR		oropatrio palato Karamina et en comen	Yang Taguida 1-4	
Number of V	iolation Events 1	·	42 Numl	ber of violation days		
	Mark Control C	1				-
	daily					and deletered
	weekly					
mark only one	monthly quarterly			Violation Base	Penalty	\$100
with an x	semiannual			Violation Base	. c	<u> </u>
	annual					
	single event x					
I .						
-						
	One sing	gle event is rec	oinmended.			
Good Faith Efforts to Comply	0.0%	Reduction	eria			\$0
हार्या स्तरभागास्त्रकारा अस्तराहरू स्वयं विकास स्वयं के स्वयं स्वयं के स्वयं के स्वयं के स्वयं के स्वयं के स्व 	Before NOV	NOV to EDPRP/	Settlement Offer	eranders verschilden der beschilde in der beschilde bei der beschilde der beschilde beschilde beschilde beschi Der beschilde beschi	, page 1880 at land	
	Extraordinary					
	Ordinary					
	N/A x	(mark with x)				
	The Reenor	ndent does not	meet the good faith	criteria for this		
	Notes		violation.			
				Violation S	ubtotal	\$100
						Ψ100
Economic Benefit (EB) for this	violation		. ⊬ ⊈ Stat	utory Limit Test		
to the back of the first process of the first of the firs			en a. Ener. a f. var. misse and alle mention f. a. a. a an a different dess dess dess de viral de la differ le de de ener.	- printer, \$- printer, \$- \$100, \$- \$- \$- to a printer \$- to a		
Estimate	d EB Amount	\$19	V	iolation Final Penalt	y Fotal	\$145
		This violation	n Final Assessed P	enalty (adjusted for	limits)	\$145

Casa ID Na							
Case ID No.	36994						
Reg. Ent. Reference No.	. RN101439867						
Media	Public Water S	upply				Percent Interest	Years of
Violation No.	4					reicent interest	Depreciation
		ren estate sans.	dan Walistan K	11,7854		5.0	15
나타를 하다는 것 같아 하는 것이다.		Data Damilaad	Fig. 1 Data	V	lutareat Caucal	Onetime Costs	
활용 개요를 살아왔었다.	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	I I Marata da ka	a de New Gert	3.4		River Albert A.A.	
							the street of the street
Delayed Costs							
Equipment				0.00	\$0	\$O	. \$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	in a n/at land	\$0
Record Keeping System		1 1111		0.00	\$0		\$0
T				0.00	\$0	n/a	\$0
Training/Sampling					Ι . ΨΟ	WAS ARREST TO SEE THE TANK THE TANK TO BE A SECURE TO SECURITION OF THE SECURITIES OF THE SECURITION O	
raining/sampling Remediation/Disposal				0.00	\$0	n/a	\$0
Remediation/Disposal Permit Costs Other (as needed)				0.00 0.00 1.50 op and	\$0 \$0 \$19 begin maintaining	a chemical and micr	\$0 \$0 \$19 obiological
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs	The delaye	ed costs includes the costs includes the costs includes the costs and costs are considered as the costs are costs and costs are costs are costs and costs are costs ar	ne amount to deve d is the date of the is the estimat	0.00 0.00 1.50 op and investig ed date	\$0 \$0 \$19 begin maintaining ation initially docu of compliance.	n/a	\$0 \$0 \$19 obiological i. The final date
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	The delaye	ed costs includes the costs includes the costs includes the costs and costs are considered as the costs are costs and costs are costs are costs and costs are costs ar	ne amount to deve d is the date of the is the estimat	0.00 0.00 1.50 op and investig ed date	\$0 \$0 \$19 begin maintaining ation initially docu of compliance.	n/a	\$0 \$0 \$19 obiological b. The final date
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	The delaye	ed costs includes the costs includes the costs includes the costs and costs are considered as the costs are costs and costs are costs are costs and costs are costs ar	ne amount to deve d is the date of the is the estimat	0.00 0.00 1.50 op and investiged date ntering 0.00	\$0 \$0 \$19 begin maintaining ation initially docu of compliance. Item (except for a	n/a n/a a chemical and micromenting the violation one-time avoided co	\$0 \$0 \$19 obiological b. The final date
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The delaye	ed costs includes the costs includes the costs includes the costs and costs are considered as the costs are costs and costs are costs are costs and costs are costs ar	ne amount to deve d is the date of the is the estimat	0.00 0.00 1.50 op and investiged date ntering 0.00 0.00	\$0 \$0 \$19 begin maintaining lation initially docu of compliance. item (except for a \$0 \$0	n/a	\$0 \$0 \$19 obiological a. The final date osts) \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	The delaye	ed costs includes the costs includes the costs includes the costs and costs are considered as the costs are costs and costs are costs are costs and costs are costs ar	ne amount to deve d is the date of the is the estimat	0.00 0.00 1.50 op and investiged date ntering 0.00 0.00 0.00	\$0 \$0 \$19 begin maintaining ation initially docu of compliance. item (except for a \$0 \$0	n/a	\$0 \$0 \$19 obiological i. The final date osts) \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	The delaye	ed costs includes the costs includes the costs includes the costs and costs are considered as the costs are costs and costs are costs are costs and costs are costs ar	ne amount to deve d is the date of the is the estimat	0.00 0.00 1.50 op and investig ed date 0.00 0.00 0.00 0.00	\$0 \$0 \$19 begin maintaining ation initially docu of compliance. item (except for \$0 \$0 \$0	a chemical and micromenting the violation one-time avoided constant of the con	\$0 \$0 \$19 obiological a. The final date osts) \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The delaye	ed costs includes the costs includes the costs includes the costs and costs are considered as the costs are costs and costs are costs are costs and costs are costs ar	ne amount to deve d is the date of the is the estimat	0.00 0.00 1.50 op and investiged date ntering 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$19 begin maintaining ation initially docu of compliance. Item (except for \$0 \$0 \$0 \$0 \$0 \$0	a chemical and micromenting the violation one-time avoided company of the company	\$0 \$0 \$19 obiological b. The final date osts) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delaye	ed costs includes the costs includes the costs includes the costs and costs are considered as the costs are costs and costs are costs are costs and costs are costs ar	ne amount to deve d is the date of the is the estimat	0.00 0.00 1.50 op and investig ed date 0.00 0.00 0.00 0.00	\$0 \$0 \$19 begin maintaining ation initially docu of compliance. item (except for \$0 \$0 \$0	a chemical and micromenting the violation one-time avoided constant of the con	\$0 \$0 \$19 obiological a. The final date osts) \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The delaye	ed costs includes the costs includes the costs includes the costs and costs are considered as the costs are costs and costs are costs are costs and costs are costs ar	ne amount to deve d is the date of the is the estimat	0.00 0.00 1.50 op and investiged date ntering 0.00 0.00 0.00 0.00	\$0 \$0 \$19 begin maintaining ation initially docu of compliance. Item (except for section of sectio	a chemical and micromenting the violation one-time avoided composition on the composition of the composition on the composition of the composition on the composition on the composition on the composition of the composition on the composition on the composition of the composition on the composition on the composition of the composition on the composition of the composition on the composition of the composition	\$0 \$0 \$19 obiological b. The final date osts) \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delaye	ed costs includes the costs includes the costs includes the costs and costs are considered as the costs are costs and costs are costs are costs and costs are costs ar	ne amount to deve d is the date of the is the estimat	0.00 0.00 1.50 op and investiged date ntering 0.00 0.00 0.00 0.00	\$0 \$0 \$19 begin maintaining ation initially docu of compliance. Item (except for section of sectio	a chemical and micromenting the violation one-time avoided composition on the composition of the composition on the composition of the composition on the composition on the composition on the composition of the composition on the composition on the composition of the composition on the composition on the composition of the composition on the composition of the composition on the composition of the composition	\$0 \$0 \$19 obiological a. The final date osts) \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sumpling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delaye	ed costs includes the costs includes the costs includes the costs and costs are considered as the costs are costs and costs are costs are costs and costs are costs ar	ne amount to deve d is the date of the is the estimat	0.00 0.00 1.50 op and investiged date ntering 0.00 0.00 0.00 0.00	\$0 \$0 \$19 begin maintaining ation initially docu of compliance. Item (except for section of sectio	a chemical and micromenting the violation one-time avoided composition on the composition of the composition on the composition of the composition on the composition on the composition on the composition of the composition on the composition of the composition on the composition on the composition on the composition of the composition on the composition of the composition on the composition of the composition	\$0 \$0 \$19 obiological b. The final date osts) \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The delaye	ed costs includes the costs includes the costs includes the costs and costs are considered as the costs are costs and costs are costs are costs and costs are costs ar	ne amount to deve d is the date of the is the estimat	0.00 0.00 1.50 op and investiged date ntering 0.00 0.00 0.00 0.00	\$0 \$0 \$19 begin maintaining ation initially docu of compliance. Item (except for section of sectio	a chemical and micromenting the violation one-time avoided composition on the composition of the composition on the composition of the composition on the composition on the composition on the composition of the composition on the composition of the composition on the composition on the composition on the composition of the composition on the composition of the composition on the composition of the composition	\$0 \$0 \$19 obiological a. The final date osts) \$0 \$0 \$0 \$0 \$0

1	reening Date		Docket No. 2009-0039-PWS-E	/ PCW
			dham dba Deer Run Water System	Policy Revision 2 (September 200
	Case ID No.			PCW Revision October 30, 20
	eference No.			
	dia [Statute]			
	Coordinator		-Mgbeoduru	
Vio	olation Number			
	Rule Cite(s)		30 Tex. Admin. Code § 290.46(i)	
			· · · · · · · · · · · · · · · · · · ·	
		•		
\/!-!-4			pt an adequate plumbing ordinance, regulations, or service agreeme	
Violati	ion Description	provisions	for proper enforcement to insure that neither cross-connections nor unacceptable plumbing practices are permitted.	other
			and a second sec	
			Rase	Penalty \$1,00
			Base	Vicinally Vicinally
>> Environmental	, Property ar	id Human H	ealth Matrix	•
	Andrew Programme (All Carlot Basel Constants). Programme of		Harm ·	
	Release		Moderate Minor	
OR	Actual		Percent 0%	
	Potential		Percent 0%	•
>>Programmatic	Matrix			• • • • • • • • • • • • • • • • • • • •
	Falsification	Major	Moderate Minor	
		×	Percent 10%	
		-		
Matrix Notes			100% of the rule requirement was not met.	
Notes				
	PRESIDENT AND A SECURITION OF THE SECURITION OF	er i bi amera amaragani ancian		40001
			Adjustment	\$900
	•			\$10
man and annual transfer of the state of the	and the second s			operation constitution makes
Violation Events				
	Ni mala an ad V	ialatiaa Evantali	43 Number of violation days	
	Number of VI	iolation Events	1 .42 Number of violation days	
		daily	•	
		weekly		
		monthly		
	mark only one with an x	quarterly	Violation Base	Penalty \$10
	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	semiannual		
		= annual		,
		single event	X	
			One single event is recommended.	
		•	one single event to recommended.	
Good Faith Efforts	s to Comply		0.0% Reduction	\$
The second secon			Before NOV NOV to EDPRP/Settlement Offer	
		Extraordinary		
		Ordinary		
		N/A [X (mark with x)	
			The Respondent does not meet the good faith criteria for this	•
		Notes	violation.	
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			Violation 9	Subtotal \$10
	TO OTERAL TRANSPORTERS	NAMES AND ADDRESS OF THE PROPERTY OF THE PROPE		
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	F-40		\$16 Violation Final Penal	lty Total \$14
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			This violation Final Assessed Penalty (adjusted fo	or limits) \$14
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		conomic	Benefit W	orks	sheet		
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Case ID No			in water cyclem				
Reg. Ent. Reference No	-1	`					
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Buildings				0.00	. \$0	\$O	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
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Screening D	Date 6-Jan-2009		Docket No. 2009-003	39-PWS-E	PGW
•	•	nam dba Deer Run Wate	r System	. Polic	y Revision 2 (September 2002)
	No. 36994			P	CW Revision October 30, 2008
Reg. Ent. Reference	No. RN101439867				
Media [Stat	ute] Public Water Su	pply			
Enf. Coordina	ator Andrea Linson-N	/lgbeoduru			
Violation Nur	mber 6				===
Rule Ci	te(s)	30 Tex. Admin.	Code § 290.110(c)(4)(A)		
\#.1-# B	Failed to moni	tor the disinfection residu	ials at representative loca	tions in the distribution	1
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	·				
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The second secon					
Estir	mated EB Amount	\$434	<u>+</u> j Violat	ion Final Penalty Tot	al \$725
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Item Description						Percent Interest	Depreciation
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Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
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Record Keeping System				0.00	\$0	### n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	' n/a	\$0
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Compliance History Report

Customer/Respondent/Owner-Operator:

CN600747976 WINDHAM, RAYMOND E

Classification:

Rating:

Regulated Entity:

RN101439867 DEER RUN WATER SYSTEM

Classification:

Site Rating:

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

0250042

WATER LICENSING

LICENSE

0250042

Location:

ON COUNTY ROAD 198, 21/2 MILES SOUTHEAST OF BANGS, BROWN COUNTY, TX

TCEQ Region:

REGION 03 - ABILENE

Date Compliance History Prepared:

Agency Decision Requiring Compliance History: Enforcement

January 05, 2009

Compliance Period:

January 05, 2004 to January 05, 2009

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name:

Andrea Linson-Mgbeoduru

Phone:

512-239-1482

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period?Yes

2. Has there been a (known) change in ownership of the site during the compliance No period?

3. If Yes, who is the current owner?

4. if Yes, who was/were the prior owner(s)?

N/A

N/A

5. When did the change(s) in ownership occur?

Components (Multimedia) for the Site:

Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government. A.

N/A

B. Any criminal convictions of the state of Texas and the federal government.

N/A

Chronic excessive emissions events. C.

N/A

The approval dates of investigations. (CCEDS Inv. Track. No.) D.

> 1 02/25/2004 (263829)

> 2 05/06/2004 (271440)

> 3 03/15/2007 (644215)

4 06/01/2007 (644735)

5 05/27/2008 (671642)

6 12/19/2008 (709320)

Written notices of violations (NOV). (CCEDS Inv. Track. No.) E.

> Date: 02/24/2004 (263829)

CN600747976

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(f)(3)(E)(i)

Description:

FAILURE TO PROVIDE PURCHASE WATER MONTHLY OPERATING REPORTS.

Date: 03/15/2007 (644215)

CN600747976

Self Report? NO

Classification: Moderate

Citation:
Description:

30 TAC Chapter 290, SubChapter F 290.109(f)(4)
BACT - MONITORING/REPORTING VIOLATIONS

Date: 06/01/2007 (644735)

CN600747976

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.122(b)(1)(A)

Description:

PUBLIC NOTICE

(671642)

Date: 05/28/2008

CN600747976

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.45(f)(5)

Description:

Failure to have a water purchase contract available.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.46(f)

Description:

Failure to maintain a record of water works operations and maintenance

activities.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.42(1)

Description:

Failure to have a maintenance manual.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 290, SubChapter F 290.121(a)

Description:

Failure to have a chemical and bacteriological monitoring plan.

Self Report? NO

Classification: Moderate

Citation:
Description:

30 TAC Chapter 290, SubChapter D 290.46(i)
Failure to have a plumbing ordinance or adequate service agreement.

Classification: Moderate

Self Report? NO Citation: 3

30 TAC Chapter 290, SubChapter F 290.110(c)(5)(A)

Description:

Failure to monitor the disinfection level in the distribution system once every

seven days.

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
RAYMOND WINDHAM DBA	§	
DEER RUN WATER SYSTEM,	§	ENVIRONMENTAL QUALITY
RN101439867	§	

AGREED ORDER DOCKET NO. 2009-0039-PWS-E

I. JURISDICTION AND STIPULATIONS

At its	agenda, the Texas Commission on Environmental Quality
("Commission" or "TCEQ") considered	ed this agreement of the parties, resolving an enforcement
action regarding Raymond Windham	dba Deer Run Water System ("Mr. Windham") under the
authority of Tex. Health & Safety	CODE ch. 341. The Executive Director of the TCEQ,
represented by the Litigation Division	n, and Mr. Windham appear before the Commission and
together stipulate that:	

- 1. Mr. Windham owns and operates a public water supply system located at 100 County Road. 198 two and one-half miles southeast of Bangs, Brown County, Texas (the "Facility).
- 2. This Agreed Order is entered into pursuant to Tex. Health & Safety Code § 341.049. The Commission has jurisdiction of this matter pursuant to Tex. Health & Safety Code § 341.031 because it alleges violations of Tex. Health & Safety Code ch. 341 and TCEQ rules.
- 3. The Commission and Mr. Windham agree that the Commission has jurisdiction to enter this Agreed Order, and that Mr. Windham is subject to the Commission's jurisdiction.
- 4. Mr. Windham received notice of the violations alleged in Section II ("Allegations") on or about December 24, 2008.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Mr. Windham of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

- An administrative penalty in the amount of two thousand thirty dollars (\$2,030.00) is 6. assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Mr. Windham paid one hundred thirty dollars (\$130.00) of the administrative penalty. The remaining amount of one thousand nine hundred dollars (\$1,900.00) of the administrative penalty shall be payable in nineteen (19) monthly payments of one hundred dollars (\$100.00) each, pursuant to 30 Tex. ADMIN. CODE § 70.9(a). The first monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall be paid not later than 30 days following the due date of the previous payment. If Mr. Windham fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, including the payment schedule, the Executive Director may, at his option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, Mr. Windham's failure to meet the payment schedule of this Agreed Order constitutes the failure by Mr. Windham to timely and satisfactorily comply with all of the terms of this Agreed Order
- 7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and Mr. Windham agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Mr. Windham has not complied with one or more of the terms or conditions in this Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

- 1. During a record review conducted on November 25, 2008, a TCEQ Abilene Regional Office investigator documented that Mr. Windham violated:
 - a. 30 Tex. Admin. Code § 290.45(f)(1) and 290.45(f)(5) by failing to provide a purchase water contract in order to properly evaluate the facility's production, storage, service pump or pressure maintenance capacity. Specifically, at the time of the record review,

it was documented that the Facility does not have a purchase water contract with its provider. Since the Facility purchases water under direct pressure, the production and service pump capacity could not be evaluated without a contract, therefore, the facility is considered 100% deficient for capacity;

- b. 30 Tex. ADMIN. CODE § 290.46(f) by failing to develop and maintain records of water works operation and maintenance activities for operator reference and commission review during investigations;
- c. 30 Tex. ADMIN. CODE § 290.42(1) by failing to develop and maintain a complete and up-to-date operations manual for operator review and reference;
- d. 30 Tex. ADMIN. Code § 290.121(a) by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan;
- e. 30 Tex. Admin. Code § 290.46(i) by failing to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to insure that neither cross-connections nor other unacceptable plumbing practices are permitted; and
- f. 30 Tex. ADMIN. CODE § 290.110(c)(4)(A) by failing to monitor the disinfection residuals at representative locations in the distribution system at least once every seven days.

III. DENIALS

Mr. Windham generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Mr. Windham pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Mr. Windham's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from considering or requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Raymond Windham dba Deer Run Water System, Docket No. 2009-0039-PWS-E." to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. Mr. Windham shall undertake the following technical requirements:
 - a. Immediately after the effective date of this Agreed Order, begin monitoring the disinfection residuals at representative locations in the distribution system at least once every seven days, in accordance with 30 Tex. Admin. Code § 290.110.
 - b. Within 30 days after the effective date of this Agreed Order:
 - i. Develop and begin maintaining records of water works operations and maintenance activities at the Facility, in accordance with 30 Tex. ADMIN. CODE § 290.46; and
 - ii. Adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to insure that neither cross-connections nor other unacceptable plumbing practices are permitted, in accordance with 30 Tex. Admin. Code § 290.46.
 - c. Within 60 days after the effective date of this Agreed Order:
 - i. Submit written certification as described in Ordering Provision No. 2.f below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a and 2.b;
 - ii. Develop and begin maintaining an up-to-date and thorough plant operation manual for operator review and reference, in accordance with 30 Tex. ADMIN. CODE § 290.42; and
 - iii. Develop and begin maintaining an up-to-date chemical and microbiological monitoring plan, in accordance with 30 Tex. ADMIN. CODE § 290.121.
 - d. Within 90 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.f below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.c.ii and 2.c.iii.

- e. Within 180 days after the effective date of this Agreed Order, provide a purchase water contract that authorizes a maximum hourly purchase rate to meet a service pump capacity of 2.0 gallons per minute ("gpm") per connection or provide at least 1,000 gpm and be able to meet peak hourly demands, which ever is less, in accordance with 30 Tex. Admin Code § 290.45.
- f. Within 195 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.e. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section Manager Abilene Regional Office Texas Commission on Environmental Quality 1977 Industrial Boulevard Abilene, Texas 79602-7833

3. The provisions of this Agreed Order shall apply to and be binding upon Mr. Windham. Mr. Windham is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.

Raymond Windham dba Deer Run Water System Docket No. 2009-0039-PWS-E Page 6

- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Mr. Windham shall be made in writing to the Executive Director. Extensions are not effective until Mr. Windham receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. This Agreed Order, issued by the Commission, shall not be admissible against Mr. Windham in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 6. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 7. Under 30 Tex. ADMIN. Code § 70.10(b) and Tex. Gov't Code § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of this Agreed Order to Mr. Windham, or three days after the date on which the Commission mails notice of this Agreed Order to Mr. Windham, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

Raymond Windham dba Deer Run Water System Docket No. 2009-0039-PWS-E Page 7

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
For the Executive Director Date	Z Z009
I, the undersigned, have read and understand the attached authorized to agree to the attached Agreed Order on behalf o signature, and I do agree to the terms and conditions specified TCEQ, in accepting payment for the penalty amount, is mat	f the entity, if any, indicated below my I therein. I further acknowledge that the
 I also understand that my failure to comply with the Ordering my failure to timely pay the penalty amount, may result in: A negative impact on Mr. Windham's compliance header scrutiny of any permit applications submitted. Referral of this case to the Attorney General's of additional penalties, and/or attorney fees, or to a colling linerased penalties in any future enforcement action. Automatic referral to the Attorney General's Office of Mr. Windham; and. TCEQ seeking other relief as authorized by law. 	istory; d by Mr. Windham; ffice for contempt, injunctive relief, lection agency; s against Mr. Windham;
In addition, any falsification of any compliance documents	may result in criminal prosecution.
Raymon E. Windham Signature Date	7-3-09
Raymond Windham Name (Printed or typed) Authorized representative of Raymond Windham dba Deer Run Water System	rner_ le